IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUMMONS FOR JUDGEMENT NO.1187 OF 2003
IN
SUMMARY SUIT NO.3174 OF 2003

M/s.HCL Comnet Ltd. .. Plaintiffs

Vs.

Shri Manoj Tiwari .. Defendant

Mr.Harshad Mehta i/b Lawyalist Associates for the plaintiffs

None for the defendants

CORAM : S.U.KAMDAR, J
DATED : 31ST AUGUST, 2005

P.C.:

. The present suit is filed for a refund of security deposit under leave and licence agreement dt.5.2.02. The learned counsel for the plaintiffs states that the plaintiffs has already vacated the premises and handed over possession to the defendant herein. However, defendant is not making payment of the refund of Security Deposit. Accordingly, the present suit is filed. Writ of Summons are served. Advocate has fled appearance on behalf of the defendant. Summons for Judgment has been taken out. Summons for Judgment was

served. Affidavit of service dt.14th and 15.7.04 is taken on record. In view of the fact that inspite of service of summons for judgment nobody was appearing. Accordingly I directed to the advocate for the plaintiffs on 24.8.05 to give notice to the advocate for the defendant. However, inspite of notice, none appears for the defendants. The learned counsel for the plaintiffs have tendered list of compilation of documents. Same are taken on record and marked Ex.P-1 colly. In view of the aforesaid, Summons for Judgment is made absolute. There shall be decree in favour of the plaintiff and against the defendant for Rs.1,45,342/- with further interest @ 12% simple interest. Suit is accordingly disposed of. In view thereof, summons for judgment does not survive. The same is dismissed as infructuous. Refund of Court Fee as per rules. No order as to costs.